

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALMAYEHU JIMMA,

Plaintiff,

CASE NO. C18-0771-RSL

V.

**CITY OF SEATTLE POLICE  
DEPARTMENT,**

Defendant.

ORDER DENYING MOTION FOR  
APPOINTMENT OF COUNSEL

Plaintiff Almayehu Jimma, proceeding pro se and *in forma pauperis* (IFP) in this civil matter, submitted a motion for appointment of counsel. (Dkt. 11.) The motion was referred to the undersigned for a determination. (Dkt. 12.) Having now considered the motion, the Court finds and ORDERS as follows:

(1) Pursuant to 28 U.S.C. § 1915(e)(1), “[t]he Court may request an attorney to represent any person unable to afford counsel.” However, there is no right to appointment of counsel in a civil case. *See United States v. 30.64 Acres of Land*, 795 F.2d 796, 801 (9th Cir. 1986). Moreover, the Court may appoint counsel only in exceptional circumstances. *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986). “A finding of exceptional circumstances

1 requires an evaluation of both the likelihood of success on the merits and the ability of the  
2 plaintiff to articulate his claims *pro se* in light of the complexity of the legal issues involved.”  
3 *Id.* These factors must be viewed together before reaching a decision on a request for counsel  
4 under § 1915(e)(1). *Id.*

5 Plaintiff provides little to no information in support of his motion for the appointment of  
6 counsel. Having considered the motion, as well as plaintiff’s complaint, the Court finds  
7 insufficient information to allow for a determination that exceptional circumstances warrant the  
8 appointment of counsel. As it stands, plaintiff does not demonstrate a likelihood of success on  
9 the merits. Nor is it clear plaintiff is unable to articulate his claims *pro se*. Accordingly,  
10 plaintiff’s motion for appointment of counsel (Dkt. 11) is herein DENIED without prejudice to  
11 renewal of the motion at a later date.

12 (2) The Clerk shall send a copy of this Order to plaintiff and to the Honorable Robert  
13 S. Lasnik.

14 DATED this 2nd day of August, 2018.

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16   
17 Mary Alice Theiler  
18 United States Magistrate Judge